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## OLR Bill Analysis

### sHB 6670

#### ***AN ACT CONCERNING ABSENTEE VOTING IN DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES OPERATED MENTAL HEALTH FACILITIES, APPLICATIONS FOR ABSENTEE BALLOTS AND DUTIES AND RESPONSIBILITIES ASSIGNED TO MODERATORS.***

#### **SUMMARY:**

This bill makes unrelated changes affecting absentee voting procedures and election moderators. Specifically, it:

1. requires the secretary of the state and the Department of Mental Health and Addiction Service (DMHAS) commissioner to jointly develop a plan to modernize the way patients in DMHAS-run mental health facilities vote,
2. eliminates a requirement that town clerks number absentee ballot applications consecutively and instead requires them to assign a unique number to the person receiving the applications, and
3. requires moderators or their designees to carry out any duty or responsibility that the law establishes for moderators.

Concerning the last provision listed above, the law does not authorize moderators to appoint designees. Thus, it appears that the bill effectively prohibits anyone other than a moderator from carrying out these duties and responsibilities. By law, moderators must be certified by the secretary of the state.

Finally, the bill makes technical changes.

**EFFECTIVE DATE:** Upon passage, except that the absentee ballot application provision is effective October 1, 2013.

## **VOTING BY DMHAS PATIENTS**

Under the bill, the plan that the secretary of the state and DMHAS commissioner establish must ensure that patients have the opportunity to vote, in a way that maintains privacy, in any primary or general election for which they are eligible. By January 1, 2014, the secretary and commissioner must submit the plan, and any legislative recommendations for implementing it, to the Government Administration and Elections Committee.

By law, unchanged by the bill, patients in DMHAS-operated mental health facilities may vote during supervised absentee voting sessions (see BACKGROUND).

## **ABSENTEE BALLOT APPLICATIONS**

The bill eliminates a requirement for absentee ballot applications that town clerks issue to be consecutively numbered. It instead requires the clerks to assign a unique number to the person receiving the application.

Existing law, unchanged by the bill, requires town clerks to (1) stamp or mark absentee ballot applications with the issuing municipality's name and (2) keep a log of all applications they issue. The log must include the names and address of each recipient and the number of applications they received.

## **BACKGROUND**

### ***Supervised Absentee Voting Sessions***

Under state absentee voting laws, registrars of voters or their designees supervise absentee voting at nursing homes and other residential care and mental health facilities. During supervised absentee voting sessions, registrars or their designees deliver absentee ballots to the facility and jointly supervise voters while they fill them out. The voter has the right to complete his or her ballot in secret, but registrars observe the process and are available to provide assistance if asked. The sessions are optional or mandatory, depending on the number of patients at the facility who are registered voters. If at least 20 patients are registered voters in the town, registrars must conduct a

session.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 11 Nay 3 (04/05/2013)